

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISAIAH WILLOUGHBY,

Defendant.

CASE NO. CR20-0111-JCC

ORDER

This matter comes before the Court on the Government's motion to continue trial (Dkt. No. 61). Having thoroughly considered the briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

Trial is currently scheduled for April 12, 2021. (*See* Dkt. No. 60.) The Government moves to continue trial until September 27, 2021 based upon the COVID-19 pandemic's continued impact on the Court's operations. (*See* Dkt. No. 61 at 1–3; W.D. Wash. General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 18-20, 04-21, each of which the Court incorporates by reference.) Specifically, the pandemic has made it difficult for the Court to obtain an adequate spectrum of jurors to represent a fair cross section of the community, and public health guidance has impacted the ability of jurors, witnesses, counsel, and Court staff to be present in the courtroom. (*See generally id.*) When the Court is able to resume in-person trials, the Court will be limited by public health measures, such as limits on the number of people

1 in the courthouse and courtrooms, which will limit the Court's ability to try cases as efficiently
2 as it would absent a pandemic. *See* General Order 04-21 at 2. Having thoroughly considered the
3 briefing and the relevant record, the Court FINDS that the ends of justice served by granting a
4 continuance outweigh the best interests of Mr. Willoughby and the public to a speedy trial. *See*
5 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

- 6 1. The COVID-19 pandemic has made it difficult for the Court to obtain an adequate
7 spectrum of jurors to represent a fair cross section of the community, which would
8 likely make proceeding on the current case schedule impossible or would result in a
9 miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 10 2. Public health guidance has impacted the ability of jurors, witnesses, counsel, and
11 Court staff to be present in the courtroom. Therefore, proceeding with the current trial
12 date would likely be impossible or would result in a miscarriage of justice. *See* 18
13 U.S.C. § 3161(h)(7)(B)(i).

14 Accordingly, the Court ORDERS:

- 15 1. The April 12, 2021 jury trial is CONTINUED until September 27, 2021 at 9:30 a.m.
- 16 2. The period from the date of this order until September 27, 2021 is an excludable time
17 period under 18 U.S.C. § 3161(h)(7)(A).

18 DATED this 22nd day of March 2021.

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22 John C. Coughenour
23 UNITED STATES DISTRICT JUDGE
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